

# **Exhibit 2**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
MASTER DOCKET 18-MD-2865 (LAK)  
CASE NO. 18-CV-09797

IN RE:  
  
CUSTOMS AND TAX ADMINISTRATION OF  
THE KINGDOM OF DENMARK  
(SKATTEFORVALTNINGEN) TAX REFUND  
SCHEME LITIGATION

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\* CONFIDENTIAL \*  
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REMOTE VTC VIDEOTAPED DEPOSITION UNDER ORAL  
EXAMINATION OF  
CHRISTIAN EKSTRAND – VOLUME II  
DATE: May 7, 2021

REPORTED BY: CHARLENE FRIEDMAN, CCR, RPR, CRR

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1           A    No. I have referred to what the  
2   report says.

3           Q    In the bullet above that, it says,  
4   "SIR finds that there are no checks in  
5   connections with refund requests as to  
6   whether the investor is actually a  
7   shareholder and whether the investor is, in  
8   fact, liable for tax in Denmark or not."

9                   Was that accurate as of 2010?

10          A    I wouldn't say so, no.

11          Q    Why not?

12          A    So there was a process in place and  
13   we've discussed that several times. When we  
14   submit an application, or when we receive an  
15   application, first we review whether it's in  
16   compliance with the conditions.

17                   That is already when mail is  
18   opened, where their applications are divided  
19   into two parts. Subsequently, we go through  
20   whether the application complies with the  
21   criterias for being awarded a refund.

22                   I -- whether the form has been  
23   printed and signed, whether a certificate  
24   from the domicile is included, and whether a  
25   dividend credit advice has been included from

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1 a third party, and whether this matches the  
2 application submitted before this is inputted  
3 into the system.

4 So there are checks in place.

5 Q The purpose of that process was to  
6 confirm that a shareholder was  
7 the then — sorry.

8 The purpose of that process was to  
9 confirm that a dividend withholding tax  
10 applicant was the beneficial owner of the  
11 dividend, correct?

12 A Yes.

13 Q And SIR is observing here that  
14 there — that in its view, there are  
15 deficiencies in that process, correct?

16 MR. WEINSTEIN: Objection to form.  
17 Asked and answered.

18 A No, I do not think that's what  
19 they're doing. Maybe they're referring to  
20 the spreadsheet scheme where we do not  
21 perform this control.

22 Q Do you know whether, in response to  
23 the findings in this audit report, SIR spoke  
24 with anyone in Accounting 2 and shared its  
25 observations about the process for dividend